

**To:** Northridge, Michael[Northridge.Michael@epa.gov]; Smith-Watts, David[Smith-Watts.David@epa.gov]  
**Cc:** Mott, Patricia[Mott.Patricia@epa.gov]; Lammie, Benjamin[Lammie.Benjamin@epa.gov]; Kulpan, Bruce[Kulpan.Bruce@epa.gov]  
**From:** Gibbons, Melissa  
**Sent:** Thur 10/29/2015 3:29:48 PM  
**Subject:** RE: Standard Metals' bankruptcy

# Attorney Client/Ex. 5

Thanks,

Melissa

**From:** Northridge, Michael  
**Sent:** Thursday, October 29, 2015 10:41 AM  
**To:** Smith-Watts, David <Smith-Watts.David@epa.gov>; Gibbons, Melissa <Gibbons.Melissa@epa.gov>  
**Cc:** Mott, Patricia <Mott.Patricia@epa.gov>; Lammie, Benjamin <Lammie.Benjamin@epa.gov>; Kulpan, Bruce <Kulpan.Bruce@epa.gov>  
**Subject:** Standard Metals' bankruptcy

Confidential and privileged

David and Melissa,

**Attorney Client/Ex. 5**

# Attorney Client/Ex. 5

Mike

**From:** Madigan, Andrea  
**Sent:** Wednesday, October 28, 2015 5:58 PM  
**To:** Northridge, Michael <[Northridge.Michael@epa.gov](mailto:Northridge.Michael@epa.gov)>; Sisk, Richard <[Sisk.Richard@epa.gov](mailto:Sisk.Richard@epa.gov)>; Rudy, Michael <[Rudy.Mike@epa.gov](mailto:Rudy.Mike@epa.gov)>; Land, Kelcey <[Land.Kelcey@epa.gov](mailto:Land.Kelcey@epa.gov)>; Urdiales, Aaron <[Urdiales.Aaron@epa.gov](mailto:Urdiales.Aaron@epa.gov)>; McCaffrey, Shawn <[Mccaffrey.Shawn@epa.gov](mailto:Mccaffrey.Shawn@epa.gov)>; Naftz, Douglas <[Naftz.Douglas@epa.gov](mailto:Naftz.Douglas@epa.gov)>; Abendschan, Sharon <[Abendschan.Sharon@epa.gov](mailto:Abendschan.Sharon@epa.gov)>  
**Cc:** Russo, Rebecca <[Russo.Rebecca@epa.gov](mailto:Russo.Rebecca@epa.gov)>  
**Subject:** RE: Comments and suggested edits for draft answer to QFR #14

# Attorney Client/Ex. 5

# Attorney Client/Ex. 5

Andrea Madigan

CERCLA Supervisory Attorney

Legal Enforcement Program

U.S. EPA Region 8

1595 Wynkoop Street

Denver, Colorado 80202

(303) 312-6904

**From:** Northridge, Michael

**Sent:** Wednesday, October 28, 2015 1:18 PM

**To:** Madigan, Andrea; Sisk, Richard; Rudy, Michael; Land, Kelcey; Urdiales, Aaron; McCaffrey, Shawn; Naftz, Douglas; Abendschan, Sharon

**Cc:** Russo, Rebecca

**Subject:** Comments and suggested edits for draft answer to QFR #14

Confidential and privileged

Andrea,

Thanks for sharing with me the draft answer to SEPW's Question #14 for the Record (QFR). Attached is a version that I quickly marked up.

Switching from substance to process... OSRTI had proposed that the Region and OSRE be designated as "co-leads" for preparing an answer to QFR #14; in response, I subsequently recommended that R8 take the lead in preparing a draft answer, with OSRE providing input as appropriate. My recommendation was not officially/formally adopted, but that's what's occurring in practice, so that's great. There are two potential (minor) difficulties though. One is that for the QFRs where OSRE is designated as a "lead" or "co-lead," OSRE personnel are supposed to submit draft answers by COB today to OSRE management. This presents a minor problem since y'all are operating under different deadlines (e.g., submitting a draft answer to Suzanne Bohan by this Friday, and to Rebecca Russo by next Tuesday). OSRE management has been informed that I will not be submitting a draft answer for QFR #14 by COB today, given that y'all will still be refining an answer; they have not, however, indicated whether that's acceptable. I trust that this'll work out. Second, I'd love to hear feedback from y'all on the comments, questions, suggested edits, etc... that I'm transmitting, and then get another opportunity to review a revised draft later. It may, however, take some extra coordination to make that happen, inasmuch as I'll be flying to Region 8 next Monday, and in meetings all-day there on Tuesday. But I'm sure that this too can be worked out...

Mike

**From:** Madigan, Andrea  
**Sent:** Wednesday, October 28, 2015 2:17 PM  
**To:** Sisk, Richard <[Sisk.Richard@epa.gov](mailto:Sisk.Richard@epa.gov)>; Rudy, Michael <[Rudy.Mike@epa.gov](mailto:Rudy.Mike@epa.gov)>; Land, Kelcey <[Land.Kelcey@epa.gov](mailto:Land.Kelcey@epa.gov)>; Urdiales, Aaron <[Urdiales.Aaron@epa.gov](mailto:Urdiales.Aaron@epa.gov)>; McCaffrey, Shawn <[Mccaffrey.Shawn@epa.gov](mailto:Mccaffrey.Shawn@epa.gov)>; Naftz, Douglas <[Naftz.Douglas@epa.gov](mailto:Naftz.Douglas@epa.gov)>; Northridge, Michael <[Northridge.Michael@epa.gov](mailto:Northridge.Michael@epa.gov)>; Abendschan, Sharon <[Abendschan.Sharon@epa.gov](mailto:Abendschan.Sharon@epa.gov)>  
**Subject:** RE: Action: questions on GKM

Attached is a draft response to question 14 on the Standard Metals CD. I am waiting to hear back from BLM and the Forest Service on what property they acquired under the CD. Please take a look and give me any comments. Mike Rudy and Sharon, can you confirm for me how much money EPA got for Standard Mine and the Upper Animas? Thanks.!

Andrea Madigan

CERCLA Supervisory Attorney

Legal Enforcement Program

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1595 Wynkoop Street

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(303) 312-6904

**From:** Bohan, Suzanne

**Sent:** Thursday, October 22, 2015 2:41 PM

**To:** Madigan, Andrea; Sisk, Richard; Rudy, Michael; Land, Kelcey; Urdiales, Aaron; McCaffrey, Shawn; Naftz, Douglas

**Subject:** Action: questions on GKM

Senator Inhofe submitted GKM questions to EPA yesterday. ECEJ has been asked to take the lead on several questions. These are identified in Rebecca's email below. Would you work together to prepare responses and provide to me by 10/30?

Thanks,

Suzanne

Sent from my iPhone

Begin forwarded message:

**From:** "Russo, Rebecca" <[Russo.Rebecca@epa.gov](mailto:Russo.Rebecca@epa.gov)>

**Date:** October 22, 2015 at 2:31:10 PM MDT

**To:** "Bohan, Suzanne" <[bohan.suzanne@epa.gov](mailto:bohan.suzanne@epa.gov)>

**Cc:** "Ward, W. Robert" <[Ward.Robert@epa.gov](mailto:Ward.Robert@epa.gov)>

**Subject: FW: SEPW QFRs from Sept. 16, 2015 GKM hearing**

Hi Suzanne,

Here are the questions that I believe are for your response:

6. In early 2011, the owner of the Gold King Mine, the Mogul Mine, and Part of the Red and

Bonita Mine (Todd Hennis, doing business as the San Juan Corp.) apparently withdrew permission for EPA to access the mine sites. In May 2011, EPA issued an order under CERCLA to obtain access to the Red and Bonita, Gold King, and Mogul mines to conduct field investigation, drill holes and install monitoring wells, and take soil and water samples. Please describe what, if any holes were drilled and monitoring wells installed, and water samples taken at the Gold King Mine site pursuant to this order.

14. In 2008, the United States and the State of Colorado reached an agreement with Standard Metals, memorialized in a consent decree, resolving claims for reimbursement of response costs incurred (or expected to be incurred) in connection with several sites, including the Sunnyside Mine in Silverton, Colorado. Please summarize the status of this consent decree, including compliance with the terms by Standard Metals regarding payment of any judgment, recovery from any insurance claims, and conveyance of real property. Please also discuss whether the consent decree would prevent the United States from seeking recovery of any response costs from Standard Metals associated with the removal action at the Red and Bonita Mine and Gold King Mine sites.

These are due to HQ by 11/4. If you could get me your response by 11/3, I would appreciate it.

Thanks,

Rebecca

Rebecca A. Russo

Region 8 Congressional and Intergovernmental Liaison

Office: 303-312-6757

Cell: 303-204-1930

**From:** Russo, Rebecca

**Sent:** Wednesday, October 21, 2015 3:00 PM

**To:** R8 GKM Leadership Team

**Cc:** Levine, Carolyn

**Subject:** SEPW QFRs from Sept. 16, 2015 GKM hearing

Hi all,

We have been asked to prepare responses to several questions posed by Chairman Inhofe following the 9/16 Senate Hearing. Please see the attached 7 page document and the assignment list below. Please review before tomorrow's GKM LT meeting and we can discuss assignments. I will consolidate all responses for HQ.

Thanks,

Rebecca

Chairman Inhofe QFRs:

Q1-OSWER

Q2- OSWER

Q3- R8

Q4- R8

Q5- R8/OSWER

Q6- R8

Q7- R8

Q8- R8

Q9- OSWER

Q10- R8

Q11- R8/OSWER

Q12- OSWER/AO

Q13- OSWER

Q14-R8/OSWER

Q15- R8/OSWER

Q16- R8

Q17- R8/OSWER

Q18- OSWER/OCIR

Q19- 21- OSWER

Q22- R8/OSWER

Q23- OSWER

Q24- R8

Q25- 27- OGC

Q28- Q35- OSWER

Q36- OW

Q37- OSWER/OECA

Q38- Q39- OSWER

Rebecca A. Russo

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